

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH DAKOTA

**FILED**

FEB 13 2009

MARY E. PETERS, Secretary of  
Transportation

Plaintiffs

vs.

ACTION CARRIER, INC.,

Defendant

Civil Action No. 08-cv-4185

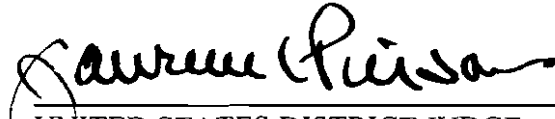
**ORDER ENTERING PRELIMINARY INJUNCTION**

Based on the stipulation of the parties to this action, it is hereby ORDERED that a preliminary injunction is entered and Defendant Action Carrier, Inc., is enjoined as follows:

- I. Defendant is enjoined from operating any commercial motor vehicle in interstate commerce at any time when Defendant is not covered by a liability insurance policy that provides coverage for bodily injury and property damage liability meeting the requirements set out in 49 C.F.R. § 387.7;
2. Defendant is further enjoined from any transportation operations in interstate commerce requiring operating authority registration in accordance with 49 U.S.C. § 13901 at any time when Defendant is not covered by a liability insurance policy that has been filed with and accepted by the Federal Motor Carrier Safety Administration (FMCSA) in accordance with 49 C.F.R. § 387.301; and
3. Defendant is further enjoined from any transportation operations in interstate commerce requiring operating authority registration in accordance with 49 U.S.C. § 13901 at any time when Defendant does not have current valid authority granted by the FMCSA.

4. This order shall remain in effect through the pendency of this civil action unless modified or dissolved by further order of the Court.

Date: FEB. 13, 2009  
Time: 3:07 PM CST

  
UNITED STATES DISTRICT JUDGE  
Lawrence L. Piersol  
400 S. Phillips Ave.  
Sioux Falls, South Dakota 57104